



**Minutes  
Town of Lake Park, Florida  
Regular Commission Meeting  
February 7, 2007 7:30 p.m.**

**Town Commission Chambers, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 7, 2007 at 7:30 p.m. Present were Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Town Manager Maria Davis, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Mayor Castro was absent.

Vivian Mendez led the Invocation.

Vice-Mayor Daly led the Pledge of Allegiance.

Town Clerk Vivian Mendez performed the Roll Call.

Vice-Mayor Daly introduced Maria Davis as the new Town Manager.

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**

None

**Motion: A motion was made by Commissioner Osterman to approve the Agenda; Commissioner Carey made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

**PRESENTATION:**

Proclamation to Dionisia Sophinos

Vice-Mayor Ed Daly read the Proclamation of Employee of the Year for 2006 to Diane Sophinos.

Diane Sophinos thanked the Commission and staff.

**Motion: A motion was made by Commissioner Balius to approve the proclamation to**

**Dionisia Sophinos; Commissioner Carey made the second.**

**Vote on Motion:**

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

**Public Comment:**

*Richard Ahrens, 1461 Kinetic Rd.* - requested that the Commission consider the extension of Park Ave. He stated that there have been approximately 8 million dollars collected in impact fees from the developments on Watertower Rd. and the Wal-Mart shopping center. He stated that it was very important to redevelop the retail area of Park Ave. He stated that traffic issues would need to be addressed. He stated that the entrance to the new housing development on Congress Ave. was placed directly opposite of Watertower Rd. which was chaotic. He stated that signalization and the extension of Park Ave. would alleviate the problem. He stated that a corporate office was planned for Watertower Rd. which would make the traffic situation worse. He stated that Commissioner Karen Marcus has put engineering in place due to the extension of Park Ave. He gave an update on the One Park Place project and stated that concrete for the first floor would be poured within the next couple of weeks. He stated that sales were going very well. He stated that there would be a beauty salon, a pizza parlor, and an attorney's office in the building.

Vice-Mayor Daly asked Community Development Director Patrick Sullivan if there were any other plans other than the original plans for the extension of Park Ave.

Community Development Director Patrick Sullivan stated that Palm Beach County has planned to realign Old Dixie Hwy. He stated that with that realignment there would be a major change at the intersection of Old Dixie Hwy and Park Ave. which would most likely result in the removal of the Public Works Department site.

Commissioner Balias expressed concern over where the Public Works Department would be moved.

Community Development Director Patrick Sullivan stated that the Public Works Department would possibly be placed behind the Fire Department Building.

Commissioner Balias stated that the Town could not afford to move the Public Works Department.

Vice-Mayor Daly stated that he was concerned about putting the new tower at the Public Works Department property. He stated that it may be torn down within one year of being erected.

Community Development Director Patrick Sullivan stated that he didn't believe that the entire Public Works Building would be removed.

Commissioner Osterman asked about expanding Silver Beach Rd. to four lanes.

Community Development Director Patrick Sullivan stated that he did not see any plans to expand Silver Beach Rd. He stated that the street from Old Dixie Hwy to Congress Ave. is being examined to be turned into a three lane highway.

Commissioner Balius stated that he uses Silver Beach Rd. to go to and from work and it was bumper to bumper traffic.

Vice-Mayor Daly stated that plans for the tower may need to be modified if there were plans to change Old Dixie Hwy.

Community Development Director Patrick Sullivan stated that the tower would not be affected. He stated that it would be approximately a couple of years before there would be a plan for Old Dixie Hwy.

*Cynthia Grey, 503 Sabal Palm Dr.* – stated that she arrived home yesterday and there were police cars on the street. She stated that a car had traveled down Crescent drive at 80 mph and crashed into a tree. She stated that in the past residents of Crescent Dr. signed a petition to have speed bumps put in. She stated that Commissioner Marcus had said there were grants to place speed bumps on the street. She stated that cars come through the street at 50 to 60 miles an hour.

Commissioner Balius stated that he remembered that there was a petition signed for Crescent Dr. but he did not see it.

Cynthia Grey stated that there were at least 60 signatures on the petition and if the residents have to sign another one they would.

Vice-Mayor Daly recommended that Cynthia Grey speak to Captain Douglas Reece about the traffic situation on Crescent Dr. He stated that he spoke to the new town manager Maria Davis and stated that she was very interested in looking into grants to make modifications in the Town.

*Katherine Lampkin, 618 Date Palm Dr.* – stated that there were not any signs at the Lake Park Harbor Marina that stated that dogs must be on leashes. She stated that she smelled gasoline very strongly at the Marina for two nights in a row. She stated that she spoke to a worker at the Marina concerning the smell of gasoline. She stated that doggie pick-up bags were supposed to be placed at the Marina. She also stated that it looked like an ash tray next to the benches at the Marina.

Commissioner Balius stated that there was an ordinance regarding dogs on a leash and regarding picking up their droppings.

Vice-Mayor Daly stated that Public Works could order the bags for dog droppings at the Marina.

*Joseph Lorelli, 2<sup>nd</sup> St.* - stated that there were residents in the Town who still have Christmas decorations up on their homes and some of them have had the decorations up since 2005.

### **COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY**

#### **Vice-Mayor Daly**

Vice-Mayor Daly stated that there was a great response from the Sheriff's Office for a man who had Alzheimers and wandered off and crossed U.S. Hwy One.

#### **Commissioner Balias**

Commissioner Balias welcomed the new Town Manager Maria Davis and recommended that a priorities workshop be set up as soon as possible.

Commissioner Balias asked if the Palm Beach County Sheriff's office was informed of rentals of the Mirror Ballroom Facilities.

Commissioner Balias requested the status of the 10<sup>th</sup> St. landscaping project.

Commissioner Balias asked for the status of the 2<sup>nd</sup> meeting for the Comprehensive Plan.

#### **Dale Dougherty, Recreation Department Director**

Dale Dougherty, Recreation Department stated that the Palm Beach County Sheriff's office was not informed when the Mirror Ballroom was rented. He stated that a staff person was on location at all times during any parties that take place in the Mirror Ballroom. He stated that if alcohol is served at a party the renters are responsible for obtaining a permit with the Sheriff's office.

#### **Public Works Director, Joseph Kroll**

Public Works Director Joseph Kroll stated that there were no bids on the 10<sup>th</sup> St. landscaping project. He stated that he had gone out and obtained three bids.

Public Works Director Joseph Kroll stated that grass would not grow with the material that was at Lake Shore Park. He stated that they would have to remove between 8 to 10 inches of fill.

#### **Community Development Director Patrick Sullivan**

Community Development Director Patrick Sullivan stated that he believed that the landscaping bid was not large enough therefore no contractors wanted to bid on it.

Community Development Director Patrick Sullivan stated that he was not ready to bring back the Comprehensive Plan for discussion.

#### **Commissioner Carey**

Commissioner Carey welcomed the new Town Manager Maria Davis and stated that he looked forward to working with her.

## **Commissioner Osterman**

Commissioner Osterman welcomed new town manager Maria Davis.

Commissioner Osterman recommended picnic tables at the Marina. She suggested the grassy area near the condominiums that are next door to the Marina.

## **Town Manager Maria Davis**

Town Manager Maria Davis stated that she wanted to review the 10<sup>th</sup> St. landscaping bid to determine why there were no bids on it.

Town Manager Maria Davis stated that the Mayor asked her to pass on his regrets for not being able to attend the Commission Meeting due to a family obligation.

Town Manager Maria Davis stated that she wanted to clarify the seawall permit application. She stated that there was a preliminary permit application submitted a couple of months ago. She stated that there were documents required before the process could be started. She said it would take approximately 90 days for approval by the DEP.

Town Manager Maria Davis stated that she toured the Lake Park Harbor Marina and had examined the problems that she was advised of. She stated she had reviewed mountains of construction documentation and stated that she would come back to the Commission with recommendations on how to remedy the deficiencies and construction problems.

Town Manager Maria Davis stated that staff went to Port Saint Lucie to look at FEMA trailers. She stated that another batch of trailers would be coming in March for auction. She stated that she would like to examine the trailers further before coming back to the Commission with a recommendation.

Town Manager Maria Davis reviewed the bids that came in for the fencing at the ball field. She recommended that installation of the fencing around the ball field be held off until they know what they will be doing with the trailer at the ball field.

Town Manager Maria Davis stated that the Code Compliance Board Meeting for January was cancelled due to lack of a quorum. She stated that she was happy to see applications for board membership scheduled for appointment at the Commission Meeting.

Town Manager Maria Davis stated that the library's new web page was up and running and the website address was [www.lakepark-fl.gov](http://www.lakepark-fl.gov).

Town Manager Maria Davis stated that the Harbor Marina Advisory Board had agreed to participate in the Boat Show. She stated that volunteers were needed to assist with the boat show.

Town Manager Maria Davis stated that the size of the generator at Publix was 500KW.

Town Manager Maria Davis stated that Personnel Director Bambi McKibbin-Turner just issued a letter to all Public Works employees offering them the opportunity to cross-train for CDL licenses. She stated that Public Works Director Joseph Kroll would assist with the training and the training would be provided on site.

Town Manager Maria Davis stated there was a procedure whereby staff must come to the Commission in order to apply for a grant regardless of whether it requires a match or not. She requested the Commission's permission to relax that requirement. She stated that it was an unnecessary step that would delay the application for a grant. She stated that grants would be one of her priorities and she would like to be able to expedite them any way she could.

Town Manager Maria Davis thanked Commissioner Addie Greene for providing \$142,000.00 to the Town for the replacement and restoration of the playground equipment at Lake Shore Park. She stated that she was in the process of writing a thank you letter to Commissioner Addie Green.



Town Manager Maria Davis stated that staff was working on obtaining grants for grass at Lake Shore Park.

**Attorney Thomas Baird**

Attorney Thomas Baird stated that not much had changed on current pending litigation. He stated that the Mozart Center case was still in discovery and a trial should be scheduled this year. He stated that he was waiting on the Firefighters Pension attorney to file an appeal.

The Commission came to consensus to release the requirement of staff to bring grant applications before the Commission for approval.

**PUBLIC and OTHER COMMENT**

None

**BOARD MEMBERSHIP APPOINTMENT:**

Board applications for Code Compliance Board and Planning and Zoning Board

*Jeremy Penchansky, 518 W. Jasmine Dr.* – stated that he was a resident of the Town for over 5 years and was interested in volunteering for the Code Compliance Board. He stated that he worked as a realtor and would like to do what he could to make the Town better.

*Todd Dry* – stated that he was currently an alternate member of the Planning & Zoning Board. He stated that he was seeking approval to become a regular member.

*Genanne Doughty* - stated that she did not know that she was an alternate member of the Code Compliance Board until recently. She stated that she has served on the board faithfully since there was not always a quorum.

The following persons were appointed to Board Membership:

Todd Dry – Regular Member of the Planning & Zoning Board  
Jeremy Penchansky – Regular Member of the Code Compliance Board  
Genanne Doughty – Regular Member of the Code Compliance Board  
Christina Catasus – Regular Member of the Code Compliance Board

**CONSENT AGENDA:**

1. Regular Commission Meeting Minutes of January 17, 2007.

**Public Comment Open.**

None

**Public Comment Closed.**

**Motion: A motion was made by Vice-Mayor Daly to approve the Consent Agenda; Commissioner Balias made the second.**

Vote on Motion:

Commission	Aye	Nay	Other
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Member			
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

### **Discussions and Possible Action**

#### **Maritime Academy**

Vice-Mayor Daly stated that there was a recent request by Sea Scouts to use space at the Lake Park Harbor Marina. He stated that there have been many requests from agencies in other towns requesting to use the Marina for free. He expressed concern over giving time and finances to agencies from out of town.

Commissioner Balius stated that Maritime Academy wanted to use the pier at the Lake Park Harbor Marina to fish.

Commissioner Carey stated that Maritime Academy wanted to have a fishing clinic at the Lake Park Harbor Marina to teach children of Lake Park how to fish.

David Hinaman, Marina Manager stated that Maritime Academy wanted to bring young children from all over Palm Beach County for a one time fishing clinic for 3 to 4 hours.

Vice-Mayor Daly stated that he did not have a problem with helping the children. He stated he would like to see those types of events planned for the children of the Town.

David Hiniman, Marina Manager stated that there were no fund raising plans associated with Maritime Academy's request.

Commissioner Balius stated that the instructor from Maritime Academy wanted to teach the young children how to fish. He stated that they could not fish at the Riviera Beach Marina because they do not have a pier.

Cynthia Sementelli, Finance Director stated that Maritime Academy was looking for sponsorships.

Commissioner Osterman stated that she did not have a problem with Maritime Academy having a fishing clinic for children at the Lake Park Harbor Marina.

Cynthia Sementelli, Finance Director stated that Maritime Academy was a charter school for all of Palm Beach County.

Commissioner Osterman recommended that the fishing clinic be advertised on Channel 18 and on the marquis outside of Town Hall.

**Motion: A motion was made by Commissioner Osterman to allow Maritime Academy to use the pier at the Lake Park Harbor Marina for a fishing clinic; Commissioner Balius made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

### **Bioscience funds for municipalities**

Vice-Mayor Daly explained the process and funds requested for the Bioscience project. He stated that Mayor Russo of Palm Beach Gardens requested that Lake Park join and make a contribution to help pay for the Scripps Project.

Commissioner Carey asked what Town fund could a contribution come out of.

Town Manager Maria Davis stated that the contribution could come out of the non-departmental fund which had over \$200,000.00.

Commissioner Osterman stated that the Mayor of Jupiter stated that small communities such as Lake Park should be expected to contribute.

Commissioner Carey recommended that the Town contribute something.

Vice-Mayor Daly recommended a \$5,000.00 contribution.

**Motion: A motion was made by Commissioner Osterman to approve the contribution of \$5,000.00 to the Bioscience Project; Commissioner Balius made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		



Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

Vice-Mayor Daly stated that there was also discussion about going to meet the new governor of Florida. He stated there was an event called Palm Beach County Days. He stated that an employee such as the town manager and one elected official from the Town could attend the event.

### **Park Avenue Downtown District Signage**

Community Development Director Patrick Sullivan stated that the majority of the signs in the Park Avenue Downtown District were non-complying signs. He stated that he discussed the situation in October of 2006. He stated that he went back and researched the history of the Park Avenue Downtown District signs and found that the number of non-complying signs had increased. He stated that the ordinance that existed was the ruling ordinance on what the signs should be in the Park Avenue Downtown District. He stated that there was workshop in which all of the business owners in the district were notified. He stated that one person showed up to the meeting. He stated that the Planning and Zoning Board came up with some recommendations. He stated that he worked on getting grant monies. He recommended splitting the costs of the signs with the business owners. He stated that the ordinance as it exists today provides for adequate signage without changing the ordinance. He stated that the Park Avenue Downtown District could be brought into compliance without costing the business owners too much as long as grant monies were provided. He stated that there were three options for the signage in the Park Avenue Downtown District. He stated that the signs could remain but they were not made to comply with the original intent for what the Park Avenue Downtown District was meant to be. He stated that the other option was to provide grant money for the business owners to quickly bring the signs into compliance. He stated that they could come into compliance approximately 6 months. He stated that other business owners may take up to 2 years to come into compliance.

Commissioner Carey asked if the Regions Grant was a matching grant.

Community Development Director Patrick Sullivan stated that the Regions Grant was a matching grant. He stated that he would apply for approximately \$30,000.00. He stated the Community Redevelopment Agency could contribute the other \$30,000.00.

Commissioner Balius stated that he had several problems with the signage in the Park Avenue Downtown District. He stated that the town allowed Mozart Center to put up a non-compliant sign on their building.

Vice-Mayor Daly stated that the Mozart Center sign was approved by the Town.

Community Development Director Patrick Sullivan stated that Mozart Theatre replaced their sign and that it was compliant.

Commissioner Balius stated that the Town has permitted non-compliant signs in the Park Avenue Downtown District in the past.

Attorney Thomas Baird stated that Regions Grant money was used for economic development. He stated that there would need to be job growth associated with the grant. He stated that if the Town were to give out grant money there would need to be criteria for which to disperse the grant money. He stated that giving grant money for a business to comply with the law is not enforceable. He stated that the purpose of the grant would be to come into compliance with the code. He recommended that the idea of using grant money for business owners to comply with the sign ordinance be researched further.

Commissioner Osterman stated that the Town needed to move forward and take a stand on enforcing the signage code in the Park Avenue Downtown District.

Commissioner Balius stated that he liked the signage code.

Commissioner Osterman stated that the grant money would need to be available to the Community Redevelopment Agency District not just the Park Avenue Downtown District.

Vice-Mayor Daly expressed concern that current ongoing projects would conflict with the signage issue in the Park Avenue Downtown District.

Commissioner Carey asked for clarification on the signage code in the PADD. He stated that if there were a large number of signs ordered from a sign company, the company may give a discount based on the amount of signs purchased.

Commissioner Osterman asked Community Development Director Patrick Sullivan how he came up with the \$1,500.00 cost for a sign in the Park Avenue Downtown District.

Community Development Director Patrick Sullivan stated that jobs were part of the Regions Grant. He stated that he spoke with the head of economic development with the county. He stated that there would need to be five jobs created within the Park Avenue Downtown District. He stated that there was already a beautification fund within the Town for residents who have been cited for code violations.

Attorney Thomas Baird clarified that providing grant money to business owners to comply with the law would not send a good message.

Commissioner Carey stated that some signs were approved by the Town and the Town was responsible. He stated that the Town could not hold a business owner responsible for something the Town allowed them to do.

Commissioner Osterman clarified the criteria of the Regions Grant. She recommended that the grant be offered to those business owners who comply with the code within 6 months. She recommended that the business owners can obtain grant money if the sign is ordered within 6 months but all business owners must come into compliance within 1 year.

Commissioner Carey gave recommendations on incentives that could be given to business owners in the Park Avenue Downtown District to come into compliance with the code.

Vice-Mayor Daly asked for clarification on the incentive to give business owners of the Park Avenue Downtown District.

Commissioner Carey recommended that a 9 month deadline be given to comply with the signage code.

Commissioner Balias stated that the Park Avenue Downtown District signage has been an ongoing issue for the past couple of years. He stated that he would like to see a compliance deadline of 6 months.

Attorney Thomas Baird stated that the deadline would be a 6 month amnesty period. He clarified and explained that the Special Magistrate would determine a compliance date if a business did not come into compliance within 6 months.

Commissioner Balias asked how many business owners have been cited.

Community Development Director Patrick Sullivan explained that one business owner had been cited and that business owner rose up and asked why the other owners in the Park Avenue Downtown District had not been cited.

The Commission came to consensus on the criteria for the enforcing PADD signage to be 6 months amnesty and thereafter a citation issued.

### **2007 Regions Grant application**

Community Development Director Patrick Sullivan stated that the Regions Grant required a 50% match from the community in order to apply.

Commissioner Carey asked where the grant money would be allocated.

Town Manager Maria Davis stated that the grant money would be allocated to the general fund.

**Motion: A motion was made by Commissioner Carey to approve authorization for the Town to apply for the 2007 Regions Grant; Commissioner Balias made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		

Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

### **Priorities Workshop Schedule**

Town Manager Maria Davis stated that she would talk to Mayor Castro regarding his schedule. She stated that she would coordinate a time and get back to the Commission.

Commissioner Carey recommended the 2<sup>nd</sup> or 4<sup>th</sup> Wednesday of the month.

### **Honda Classic Parking**

Community Development Director Patrick Sullivan stated that the Honda Classic needed general parking space for their tournament. He stated that they were able to obtain the land owned by Divosta. He stated that all contingencies were taken care of and it had been professionally organized with police officers and a professional parking company.

## ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balias and seconded by Commissioner Carey, and by unanimous vote, the meeting adjourned at 9:10 p.m.



Mayor Paul Castro



Deputy Clerk Jessica Shepherd



Town Clerk Vivian Mendez



Approved on this 21 of February 2007.